IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No. 434 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE D.A.MEHTA Sd/-

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1	Whether Reporters of Local Papers may be allowed to see the judgment ?
2	To be referred to the Reporter or not ?
3	Whether their Lordships wish to see the fair copy of the judgment ?
4	Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?
5	Whether it is to be circulated to the civil judge ?

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AMARAT HIRABHAI - Applicant(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :
THROUGH JAIL for Applicant(s) : 1,
MR K.T.DAVE, APP. for Respondent(s) : 1,
RULE NOT RECD BACK for Respondent(s) : 2 - 3.

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CORAM : HONOURABLE MR.JUSTICE D.A.MEHTA

Date : 24/03/2006

ORAL JUDGMENT

1 This application moved through jail authority does not specify as to whether the convict is seeking furlough or parole. However, upon issuance of Rule, ld.APP. Mr.K.T.Dave has placed on record the report of the jail authority.

2 It becomes apparent from the record that the convict has already enjoyed furlough twice within a period of last six months : first time for a period of 14 days from 27.10.2005 to 9.11.2005 and second time for a period of 14 days from 24.2.2006 to 9.3.2006. It is necessary to take note of the fact that he has also enjoyed parole/temporary bail six times and furlough five times over and above the aforesaid two furloughs.

3 In these circumstances, considering the fact that the convict has already enjoyed furlough in this month itself this application is rejected. Rule discharged.

Sd/-
(D.A.MEHTA, J)

m.m.bhatt